

# EXHIBIT 1

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Entertainment LLC*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

FEDERAL TRADE COMMISSION,  
  
Plaintiff,  
  
v.  
  
MICROSOFT CORP.,  
  
and  
  
ACTIVISION BLIZZARD, INC.,  
  
Defendants.

Case No. 3:23-cv-2880

**DECLARATION OF CHRISTIAN  
SVENSSON IN SUPPORT OF NON-  
PARTY SONY INTERACTIVE  
ENTERTAINMENT LLC'S  
STATEMENT IN SUPPORT OF  
SEALING CERTAIN  
CONFIDENTIAL BUSINESS  
MATERIAL**

I, Christian Svensson, declare as follows:

1. I am Head of Global Third Party Relations at Sony Interactive Entertainment LLC (“SIE”). I am more than eighteen years of age. Based on my experience with SIE, I am familiar with SIE’s protection of its trade secrets and other confidential and proprietary business information discussed below. I make this declaration based on personal knowledge, and I could testify competently to the matters set forth herein.

2. I understand that on June 12, 2023, the Federal Trade Commission (“FTC”) filed a Complaint for a Temporary Restraining Order and Preliminary Injunction (“Complaint”) (ECF No. 1), a Emergency Motion for Temporary Restraining Order (“Emergency Motion for TRO”) (ECF No. 7), which, together with associated declarations and exhibits, contain statements that reference or contain certain highly confidential SIE information. I also understand that SIE intends to file a statement in support of sealing portions of these documents to protect SIE’s confidential information. I make this declaration in support of that statement.

3. SIE seeks to seal the following categories of information in the FTC’s filings:

Category of Information	Section of Motion filing to Maintain Under Seal (Pages: Lines or Exhibit)
Non-public SIE data, analysis, and survey results relating to SIE product strategy and platform users’ behavior on SIE’s platform, specifically user engagement, gameplay, spend, and likelihood of switching, including potential competitive impacts of Microsoft’s proposed acquisition of Activision	Emergency Motion for TRO 20:9-12 (ECF No. 7); Exhibit Q (ECF No. 10) 41:8-13; Exhibit T (ECF No. 10) ¶¶ 2, 4-6, 8, 9, 14, 19, 21, 26-29, 33-39, 41, 42, 44
Non-public SIE approach to contract negotiations with third-party partners and discussions of particular contract terms with specified partners	Exhibit Q (ECF No. 10) 37:3-6; 39:11; 39:13-16; 39:19-25; 40:1; 40:3-6; 40:9-10; 40:13-25; 41:1-3; 41:5-6; 41:14-25; Exhibit T (ECF No. 10) ¶¶ 16, 42
Non-public information on the nature and scope of SIE’s technical collaboration with particular publishers	Complaint (ECF No. 1) 29:14-16; 30:26; Exhibit Q (ECF No. 10) 34:21-24; 36:14-17; 37:8-10; Exhibit T (ECF No. 10) ¶ 32, 40

1 Non-public SIE business analysis of competitor  
2 behavior and products

Complaint (ECF No. 1) 12:18; 20:17; 21:2;  
Exhibit Q (ECF No. 10) 34 :21-24; 37:12-14  
Exhibit T (ECF No. 10) ¶¶ 12, 16, 34

3  
4 4. The information SIE seeks to keep confidential is non-public information internal  
5 to SIE. The information includes confidential, internal SIE data, including platform user and  
6 franchise data, and economic and commercial analyses and business strategies that are not  
7 publicly accessible outside SIE. These data and analyses include franchise performance  
8 comparisons, user preferences, player spending amounts, and other categories of data. SIE's  
9 access to and use of these data and analyses is a competitive advantage that it relies upon for  
10 strategic planning, including competitive, marketing, and business strategies. SIE's competitive  
11 analysis of the potential impacts of Microsoft's proposed acquisition of Activision on SIE's  
12 business, in particular, is based on and informed by SIE's internal data and analyses and should  
13 not be made publicly available. SIE's commercial partners could gain unfair leverage in future  
14 SIE interactions with knowledge of SIE's specific competitive concerns regarding the proposed  
15 transaction.  
16

17  
18 5. SIE also seeks to keep confidential information relating to its approach to contract  
19 negotiations with particular counterparties and details of particular contract terms between SIE  
20 and certain counterparties. Public release of this information would put SIE at a disadvantage in  
21 current and future negotiations by creating an information asymmetry between SIE and its  
22 counterparties.

23  
24 6. SIE strictly restricts dissemination of this type of data and competitive and  
25 business strategy analyses. SIE takes steps to preserve the confidentiality of this type of  
26 information to protect SIE's competitive position, and its release could provide insight into SIE's  
27 strategic plans or create information asymmetries during commercial negotiations. SIE does not  
28

1 share this information with the public.

2 7. Disclosure of SIE's highly confidential information contained in the  
3 aforementioned paragraphs could unfairly enable SIE's competitors to gain insight into SIE's  
4 strategic thinking and business strategy, providing an unwarranted advantage to competitors and  
5 business partners, which could cause competitive harm to SIE. Such information would be  
6 immensely valuable to competitors in developing their own strategy against SIE, and to  
7 prospective and current business partners in negotiating with SIE.

8  
9 8. I declare under penalty of perjury under the laws of the United States that the  
10 foregoing is true and correct to the best of my knowledge and belief.

11 Executed on Tuesday, June 20, 2023, in Union City, California.

12  
13 By  \_\_\_\_\_  
14 DAD1B0DF39774AF...  
15 Christian Svensson